

RECEIVED
UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION **FILED** JAN - 2 2001

UNITED STATES OF AMERICA,
ST. LOUIS Plaintiff,
vs.
JERRY LEWIS BEY, MICHAEL
WILLIAMS EL, CARLTON DARREN BEY
and RAYMOND AMERSON BEY.
Defendants.)
U.S. DISTRICT COURT
EASTERN DISTRICT OF MO CDP
No. S1-91-0001 CR(6)

SUPPLEMENTAL MOTION IN SUPPORT OF MOTION
TO RECONSIDER ORDER OF NOVEMBER 27, 2000
DENYING DEFENDANT'S MOTION FOR A NEW TRIAL

*Denied for reasons stated in
original order.*
Cathie D Bey
1/3/01

Comes Now Defendant, Jerry Lewis Bey, Pro Se, moves this Court to reconsider its order of November 27, 2000, denying Defendant's Motion of a New trial. In support thereof, Defendant states as follows:

Defendant's Motion Under Rule 33 Is Not Time Barred

1. In a number of decisions, the Eighth Circuit Court of Appeals, has long ago held that "the appellate process terminates and the two-year time period for a motion pursuant of Fed. R. Crim. P. Rule 33, for a New Trial, begins to run when the appellate court issues its mandate of performance." See United States v. White, 557 F.2d 1249, 1250 (8th Cir. 1977); United States v. Cody, 529 F.2d 564,566 (8th Cir. 1976); United States v. Spector, 888 F.2d 583, 585 (8th Cir. 1989).

2. On November 22, 1995, the Eighth Circuit " issued a judgement affirming defendant and other codefendant's conviction and sentence."

AN ORDER, JUDGMENT OR ENDORSEMENT WAS SCANNED, FAXED AND/OR MAILED TO THE FOLLOWING INDIVIDUALS ON 01/03/01 by ldreon
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